

ORIGINAL  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DEPUTY CLERK

ARTHUR CARSON,  
PLAINTIFF,

VS.

OFFICER KELLY(FIRST NAME UNKNOWN);  
THE DALLAS POLICE DEPARTMENT ET AL.,  
DEFENDANTS.

8-10 CV-1523 G

COMPLAINT WITH JURY TRIAL DEMANDED

PRELIMINARY STATEMENT:

This is a Civil Rights Action filed by Arthur Carson, for damages , Declaratory and Injunctive Relief Under 42 U.S.C. 1983, 1988, alleging Defendant's Violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.

JURISDICTION:

- 1.This Court has jurisdiction over the Plaintiff's claims of Violation of Federal Constitutional Rights Under 42 U.S.C. 1331(a) and 1343.
- 2.This Court has supplemental jurisdiction over the Plaintiff's State Law tort claims under 28 U.S.C. 1367.

PARTIES:

3. The Plaintiff , Arthur Carson, 1854 El Capitan Dr.148 Dallas,TX.75228, (214-245-8241);
- 4.Officer Kelly, (first Name Unknown until discovery), Dallas Police Officer, 1401 S. Lamar street Dallas, TX 75215;

5. The Defendant, Dallas Police Department, 1401 S. Lamar Street, Dallas TX 75215.

STATEMENT OF THE CLAIM:

On June 19, 2010, during the Morning about 10:30- 11:00 A.M. I called 911 to Report an Assault Against me and the breaking of My Windshield by a Female, Evelyn Moore, the estranged Wife Of Ruben Moore, the Person I was Visiting, (3812 Garden LN. Dallas). After maybe ten minutes without A Police, a second call was made.

Officer Kelly eventually arrived, said Officer was hostile to me and three other Witnesses, and did not Want to hear My side of the events and spoke primarily with the Assailant, Evelyn Moore, despite the Fact I was struck in the face with a stick. Dallas Police took No action to the vandalism to My Vehicle or Assault, because I Am an African-American male, the Police Department Custom, Practice or Policy Is to ignore, and fail to enforce the law for African-American men whom are Victimized, specifically By a Female assailant or through domestic Violence.

The Dallas Police department have recklessly disregarded Prior Assault Complaint made against Evelyn Moore by Ruben Moore, where Evelyn Moore was again free to Assault Me and damage My Car.

There exist an Unequal application of the law for African-American Males who Report crimes by Females, where the Dallas Police have ignored the substantial Risk of serious harm posed by Evelyn-Moore, whom have seriously Assaulted Ruben Moore, and Police failed to intervene or Arrest Her.

This Discrimination is due to gender and Race, where the acts or omission of the Dallas Police Department toward African-American Males, are the proximate cause of My Injuries, since State law Has not been enforced, and My complaint ignored by the Defendants.

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF PRAY FOR DECLARATORY AND  
INJUNCTIVE RELIEF, COMPENSATORY, PUNITIVE DAMAGES OF \$100,000, JURY  
TRIAL; COST OF COURT; ALL ELSE RELIEF THIS COURT DEEM EQUITABLE AND JUST  
UNDER LAW.

Arthur Carson

Arthur Carson  
2606 Highland Rd. 110  
Dallas, Tx. 75228  
(214-245-8241)

VERIFICATION:

I, Arthur Carson, declare the foregoing statements made in this Complaint are true and correct, under  
The penalties of Perjury, pursuant to 28 U.S.C. 1746.

Dated this 30<sup>th</sup> day of <sup>August</sup>~~July~~, 2010.

Arthur Carson

Arthur Carson  
Pro se

**Dallas Police Department Reports****Offense Record for Public Release**

UCR CODE: 14082 AS SIGNAL: 6X Incident #: 0171683-X  
Offense Date: 6/19/2010

OID: MDT TCB: 13:26:35 TCE: 13:52:06 DISPATCHED AT: 11:48  
BEAT: 313 REPORTING AREA: 2149 WATCH: 2

**COMPLAINANT INFORMATION**

NAME: CARSON, ARTHUR  
HOME ADDRESS:  
1854 EL CAPITAN  
DALLAS TX 75228

BUSINESS ADDRESS:

RACE: B SEX: M AGE: 56 DOB:

**OFFENSE**

OFFENSE DESCRIPTION: CRIMINAL MISCHIEF

M/O: SUSP SMASHED WINDSHIELD OF COMP'S VEHICLE WITH A HAMMER

OFFENSE LOCATION: 03812 GARDENLN

APT:

PREMISES: 501 - HOUSE

PROPERTY ATTACK CODE: 501

INVESTIGATOR ASSIGNED: 3548

DATES OF OCCURRENCE: 2010/6/19 11:15 - 2010/6/19 11:35

STATUS: S

UCR DISP: P

SPECIAL REPORT: F

FOLLOW UP: 4

REVIEWED BY: 23222

WEATHER:

SR CODE: 2

INV. DIV. NOTIFIED:

FAMILY VIOLENCE: N

GANG ACTIVITY CRIME: N

Crime classifications are based upon preliminary information supplied to the Dallas Police Department by the reporting parties and the preliminary classifications may be changed at a later date based upon additional investigation. Therefore, the Dallas Police Department does not guarantee (either expressed or implied) the accuracy, completeness, timeliness, or correct sequencing of the information contained herein and the information should not be used for comparison purposes over time. The Dallas Police Department will not be responsible for any error or omission, or for the use of, or the results obtained from the use of this information.

Open Records requests must be made in writing. They may be:

1. Hand-carried to the Records Section, Dallas Police Headquarters, 1400 S. Lamar St., Dallas, Tx. 75215.
2. Faxed to 214-671-4636
3. E-mailed to [openrecordunit@dpd.ci.dallas.tx.us](mailto:openrecordunit@dpd.ci.dallas.tx.us)
4. Mailed by US Postage to - Dallas Police Open Records, 1400 S. Lamar St., Dallas, Tx. 75215.

0171683-X

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## Dallas Police Department Reports

### Offense Record for Public Release

UCR CODE: 14082

AS SIGNAL: 6X

Incident #: 0171683-X

Offense Date: 6/19/2010

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### OFFICER INFORMATION

REPORTING OFFICER: 10015

OTHER OFFICER:

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### NARRATIVE

SUSP WAS INVOLVED IN AN ALTERCATION ON 06/18/10 AT LISTED LOCATION. ON 06/19/10 THE SUSP RETURNED TO THE LISTED LOCATION TO OBTAIN PERSONAL PROPERTY AND BECAME INVOLVED IN A MUTUAL PHYSICAL CONFRONTATION WITH THE INDIVIDUALS AT THE LOCATION. ROS SPOKE WITH THE COMP WHO STATED THE SUSP BECAME VIOLENT AFTER THE VERBAL ARGUMENT AND PHYSICAL CONFRONTATION, AND PROCEEDED TO HIT THE WINDSHIELD OF HIS VEHICLE WITH A HAMMER, CAUSING DAMAGE. END OF ELEMENTS

### VEHICLE

YEAR: 01 MAKE: STRN MODEL: SL STYLE: 4D

COLOR1: OTH UNK

COLOR2: OTH UNK

### PROPERTY

Status	Quantity	Description	Value
D	1	FRONT WINDSHIELD	\$200.00

Crime classifications are based upon preliminary information supplied to the Dallas Police Department by the reporting parties and the preliminary classifications may be changed at a later date based upon additional investigation. Therefore, the Dallas Police Department does not guarantee (either expressed or implied) the accuracy, completeness, timeliness, or correct sequencing of the information contained herein and the information should not be used for comparison purposes over time. The Dallas Police Department will not be responsible for any error or omission, or for the use of, or the results obtained from the use of this information.

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0171683-X

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# Low Price Auto Glass

Tel: (214) 421-1575

5301 Second Ave. Dallas, Tx 75210

Fax (214) 421-1561

Name \_\_\_\_\_ Ph # \_\_\_\_\_ Date \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

YEAR	MAKE	MODEL	PAYMENT METHOD	LICENCE PLATE #
2007	Saturn	SL	CC	
QUANTITY	DESCRIPTION			AMOUNT
1	new front windshield installed			135
1. By signing this bill I authorize Low Price Auto Glass to do the work on my vehicle and to pay the amount indicated. 2. The shop is not responsible for any damages or theft that happens to my vehicle if I leave it in the shop overnight, plus I have to pay \$20 per day as a storage fee. 3. If the vehicle stays in the shop for more than 30 days the shop has the right to impound it, sell it, or own it. Signature X _____				4. Warranty is on labor only, not on parts. 5. No Warranty on used electrical parts. 6. All deposits are not refundable. 7. All claims must be accompanied by this bill. Thanks.
TOTAL				135

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

ARTHUR CARSON

**DEFENDANTS**

Officer Kelly  
Dallas Police Department

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

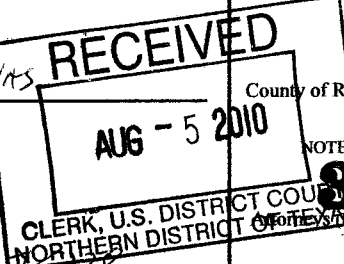
DALLAS

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

DALLAS

(c) Attorney's (Firm Name, Address, and Telephone Number)

PROSE  
2608 Highland Rd. #110, DALLAS, TX 75228



NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

3:10 CV-1523G

**II. BASIS OF JURISDICTION**

(Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES**

(Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- |   |                                |                                |   |                                |                                |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State                   | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2     | <input type="checkbox"/> 2     | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5     | <input type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3     | <input type="checkbox"/> 3     | Foreign Nation  | <input type="checkbox"/> 6     | <input type="checkbox"/> 6     |

**IV. NATURE OF SUIT**

(Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Title VII: 42 USC 1983, 1985

Brief description of cause:

**VII. REQUESTED IN COMPLAINT:**

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) (See instructions) PENDING OR CLOSED:**

JUDGE

DOCKET NUMBER

DATE 08/03/10

SIGNATURE OF ATTORNEY OF RECORD

Arthur Carson

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

ART CARSON  
2608 Highland Rd. #110  
DALLAS, TX 75208

TX 752

3

AUG

2010

PM

DALLAS TX

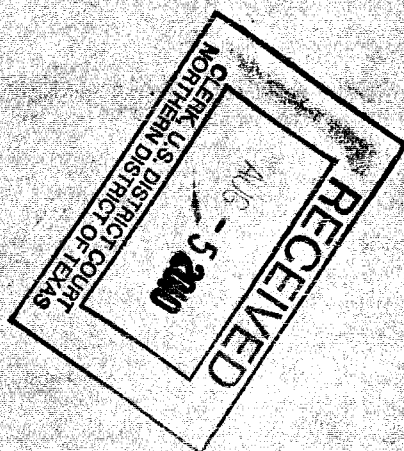
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USA FIRST-CLASS

USA FIRST-CLASS

USA FIRST-CLASS



CLERK  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
1100 Commerce St.  
DALLAS, TX 75242